

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO.: 3:14-cv-582-RJC-DSC

BRENDA K. GREEN,)	
)	
PLAINTIFF,)	
)	
VS.)	<u>ORDER</u>
)	
CAROLYN W. COLVIN,)	
ACTING COMMISSIONER)	
OF SOCIAL SECURITY,)	
)	
DEFENDANT.)	

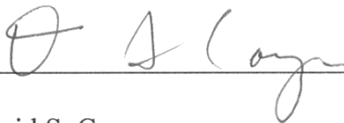
THIS MATTER IS BEFORE THE COURT on Plaintiff's Motion for Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), filed on November 16, 2015. Having reviewed the Motion, supporting materials, memorandum in support, and the case file, the Court determines that Plaintiff is entitled to attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$5,800.00.

IT IS ORDERED that Plaintiff's Motion for Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), is **GRANTED** to the extent that the Court will award attorney's fees in the amount of \$5,800.00, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. ----, 130 S. Ct. 2521 (2010), the fee award will be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first and if any funds remain they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that Plaintiff does not owe any federal debt, the Government will exercise its discretion to honor an assignment of EAJA fees and pay them directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

IT IS FURTHER ORDERED that the Plaintiff shall receive \$419.44 in costs from the Judgment Fund of the United States Department of the Treasury pursuant to 28 U.S.C. § 2412(a)(91).

SO ORDERED.

Signed: November 16, 2015

A handwritten signature in dark ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

